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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,828	09/29/2003	Peter Braybrook	3008-1035	3506

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EXAMINER

BLACKWELL RUDASIL, GWENDOLYN A

ART UNIT	PAPER NUMBER
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1775

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/671,828

Applicant(s)

BRAYBROOK, PETER

Examiner

Gwendolyn Blackwell

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 9-18 is/are rejected.
- 7) ☒ Claim(s) 5, 7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-18 in the reply filed on September 23, 2005 is acknowledged.

Specification

2. The use of the trademarks Degussa Plexiglass zk6HT, Serraglaze, and Uniguard 0518 have been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "Uniguard 0518 resin". This limitation makes the claims indefinite since Uniguard 0518 resin is trademarked material product, which is used to identify a

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particular material. Claim 13 recites the limitation "Serraglaze". This limitation makes the claim indefinite since Serraglaze is a trademarked material product, which is used to identify a particular material. If a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of the 35 U.S.C. 112, second paragraph. Ex parte Simpson, 218 USPQ 1020 (Bd. App. 1982).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-2, 4, 6, 9-12, and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent 3,645,317, Malone further in view of United States Patent Application Publication no. 2004/0210019, Hasegawa et al further in view of United States Patent no. 6,435,683, Milner.

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Regarding claims 1, 4, 9, and 15

Malone discloses a Venetian blind strip comprised of at least two layers of a transparent sheets, such as glass or plastic, with a thin transparent metal layer (light transmissible redirecting layer) applied to the inner surface of one the sheets and the two transparent sheets joined by an intermediate layer of heat setting transparent coloring agent which acts as an adhesive layer, (columns 1-2, lines 65-50). The blind strip can be incorporated into a blind wherein a plurality of blind strips are arranged with their central longitudinal axes positioned apart by a distance of approximately one-half the width of the strip, (column 1, lines 20-40). Malone does not specifically disclose the composition of the adhesive.

Hasegawa et al disclose a quick curing composition (cold pour resin) comprised of a vinyl polymer. The curable adhesive may require a curing catalyst and/or a curing agent, (page 18, section 0266). An adhesion providing agent (inhibitor) acts to reduce the risk of the sealing material being pulled from the adherends, (page 19, section 0275).

Malone discloses a Venetian blind strip laminated together through the use of an intermediate adhesive layer. Hasegawa et al disclose the use of a quick curing composition to utilized in as a sealant for building use, sealing materials for double glazings, and like sealing materials, (page 1, section 0009). It would be obvious to one skilled in the art at the time of invention to modify Malone with the adhesive of Hasegawa et al in order to provide a quick curing adhesive which cures at a rapid rate at a low temperatures without the surface tackiness common to low temperature adhesives, (Hasegawa, page 1, section 0011), claims 1, 4, 9, and 15.

Regarding claims 2 and 6

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The adhesive is comprised of a vinyl polymer comprised of vinyl monomers such as styrene, vinyltoluene, alpha-methylstyrene, chlorostyrene, and vinyltrimethoxysilane, (page 3, section 0043), claim 2. A curing agent can be added to the adhesive, (page 18, section 0266), claim 6.

Regarding claim 10

While not specifically disclosed that the a glass used as the substrate of the blind is toughened glass, it is known in the art to toughen glass in order to make the article more resilient. It would have been obvious to one skilled in the art at the time of invention to modify the glass of Malone by toughening it in order to provide a Venetian blind article with improved resilience and strength.

Regarding claims 11-12 and 16-17

The transparent metal layer of Malone acts as a solar control layer through which the transmission of visible and infrared light are controlled, (Malone, column 1, lines 65-75), claim 11. The transmission of light can be further controlled by tinting the strip, (Malone, column 2, lines 35-50), claim 12. Figures 4 and 7 demonstrate that the Venetian blind can be in an angular displacement wherein the blinds can be fixed in place or rotated open as demonstrated in Figure 2, claims 16 and 17.

Regarding claim 18

The combined references do not disclose that that the blinds is mounted to an exterior of a building.

Milner discloses an optical component comprised of at least two light transmissible substrates with a coating formed thereon to inhibit the transmission of light through the

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component from a limited range of incident angles, (column 4, lines 13-16 and column 5, lines 12-57).

The analogous inventions are related to Venetian blinds comprised of substantially similar structures. It would have been obvious to one skilled in the art at the time of invention to modify the combined invention by placing the blind outside of a building to adjust the amount of light that will enter the building opening, claim 18.

Regarding claim 14

By applying pressure to the two bodies, the adhesive between the two substrates is squeezed out so that the faces of the two substrates is not spaced by a film of adhesive. The squeezed adhesive fills all other voids, which in turns acts as a seal to prevent moisture from entering, (Milner, column 7, lines 46-60), claim 14.

Allowable Subject Matter

7. Claims 5 and 7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The closest prior art of record while disclosing a curable adhesive which can be used to bond glass does not teach or suggest the use of the materials set forth in claims 5, 7 and 8 in terms of the priming agent, curing agent, and inhibitor solution respectively.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gwendolyn Blackwell whose telephone number is (571) 272-1533. The examiner can normally be reached on Monday - Thursday; 5:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (571) 272-1535. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gwendolyn Blackwell
Examiner
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**STEPHEN STEIN
PRIMARY EXAMINER**